## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

GUSTAVO BERMUDEZ,

PLAINTIFF,

07 CIV. 9537 (HB)

VS.

CITY OF NEW YORK POLICE DEPARTMENT AND THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION,

## **DEFENDANTS**.

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## AFFIDAVIT OF JOSE O. CASTANEDA

- I, Jose O. Castaneda, having been duly sworn, depose and state:
- 1. I am over the age of 18 years and understand the obligations of an oath.
- 2. On October 25, 2006 I began an investigation into the whereabouts of certain funds that were believed to have been seized by officers of the City of New York Police Department, Bronx  $50^{\rm th}$  Precinct.
- 3. On October 25, 2006 I contacted the City of New York Police Department, Bronx  $50^{\rm th}$  Precinct in order to speak with a Sgt. Crawley, the officer who filed a Property Clerk's Invoice with regard to the seized funds.

- 4. I was informed that Sgt. Crawley had not been a member of the  $50^{\rm th}$  Precinct for the last 2 years.
- 5. When I explained that he had filed an invoice dated July 18, 2006 listing the  $50^{\rm th}$  Precinct, I was instructed to contact 1 Police Plaza for futher information.
- 6. On October 25, 2006 I contacted the City of New York Police Department 1 Police Plaza and was informed that Sgt.

  Crawley is in a special unit and that his contact information could not be supplied.
- 7. I was informed that Sgt. Crawley would be requested to contact me. I then left my contact information.
- 8. On October 25, 2006 I again called the City of New York Police Department, Bronx  $50^{\rm th}$  Precinct and spoke with the attending officer in the property unit.
- 9. The attending officer explained to me that in order for him to locate the New York Police Department file he required an invoice number located at the bottom on the invoice.
- 10. The invoice supplied to me did not have an invoice number on it and as a result the Property Unit was unable to locate any information regarding the seized funds.

THE AFFIANT

Jose O. Castaneda

Sworn to me this 24th clay of March, 2008

GEÓRGE M. GROGLIO

Notary Public, State of New York No. 4941939 Qualified in Westchester County Commission Expires September 6, 2010